

REFERENCE TITLE: commercial vehicles; border crossing; fees

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2506

Introduced by
Representatives Jones, Aguirre A: Biggs, Bradley, Burns J, Chase,
Konopnicki, Mason, McComish

AN ACT

AMENDING TITLE 28, CHAPTER 15, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-5474; AMENDING SECTION 28-6547, ARIZONA REVISED STATUTES; REPEALING LAWS 2003, CHAPTER 231; RELATING TO COMMERCIAL VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 15, article 3, Arizona Revised Statutes,
3 is amended by adding section 28-5474, to read:

4 **28-5474. Axle fees: commercial vehicles: border crossing**

5 A. IN ADDITION TO ANY OTHER APPLICABLE FEES OR TAXES, A PERSON
6 OPERATING A VEHICLE IN THE FURTHERANCE OF A COMMERCIAL ENTERPRISE WHO IS
7 CROSSING THE BORDER BETWEEN THIS STATE AND MEXICO SHALL PAY THE FOLLOWING
8 FEES ONLY IF THE VEHICLE IS REGISTERED IN A COUNTRY OTHER THAN THE UNITED
9 STATES:

10 1. FOR A ONE OR TWO AXLE VEHICLE, TWO DOLLARS.

11 2. FOR A THREE AXLE VEHICLE OR COMBINATION OF VEHICLES WITH NOT MORE
12 THAN THREE AXLES, THREE DOLLARS.

13 3. FOR A VEHICLE OR COMBINATION OF VEHICLES WITH FOUR AXLES, FOUR
14 DOLLARS.

15 4. FOR A VEHICLE OR COMBINATION OF VEHICLES WITH FIVE AXLES, FIVE
16 DOLLARS.

17 5. FOR A VEHICLE OR COMBINATION OF VEHICLES WITH SIX AXLES, SIX
18 DOLLARS.

19 6. FOR A VEHICLE OR COMBINATION OF VEHICLES WITH MORE THAN SIX AXLES,
20 SEVEN DOLLARS.

21 B. THE DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147,
22 FEES COLLECTED PURSUANT TO THIS SECTION AT PORTS OF ENTRY ON THE BORDER
23 BETWEEN THIS STATE AND MEXICO IN THE SAFETY ENFORCEMENT AND TRANSPORTATION
24 INFRASTRUCTURE FUND ESTABLISHED BY SECTION 28-6547.

25 Sec. 2. Section 28-6547, Arizona Revised Statutes, is amended to read:

26 **28-6547. Safety enforcement and transportation infrastructure
fund: exemption from lapsing**

27 A. The safety enforcement and transportation infrastructure fund is
28 established. The fund consists of monies deposited pursuant to sections
29 28-2321, 28-2324, 28-2325, **28-5474**, 28-5739, 28-5863 and 28-5864. The
30 department shall administer the fund.

31 B. Subject to legislative appropriation, monies in the fund shall be
32 spent on the following:

33 1. Enforcement of vehicle safety requirements by the department of
34 public safety and the department of transportation within twenty-five miles
35 of the border between Arizona and Mexico.

36 2. Construction and maintenance of transportation facilities and
37 upgrades of transportation facilities, including roads, streets and highways,
38 approved by the board within twenty-five miles of the border between Arizona
39 and Mexico.

40 3. As approved by the board, maintenance and construction of
41 transportation facilities in the CANAMEX high priority corridor as defined in
42 section 332 of the national highway system designation act of 1995 (P.L.
43 104-59; 109 Stat. 596-597).

1 4. Activities of the department that include the collection of
2 transportation and trade data in the United States and Mexico for the
3 purposes of constructing transportation facilities, improving public safety,
4 improving truck processing time and relieving congestion at ports of entry on
5 the border between Arizona and Mexico. The department may enter into an
6 agreement with the Arizona-Mexico commission and provide funding to the
7 commission for the purposes contained in this paragraph.

8 C. If the department determines that activities proposed by the
9 Arizona office of homeland security may improve traffic safety in this state,
10 the department may enter into an agreement with, and provide, subject to
11 legislative appropriation, fund monies to, the Arizona office of homeland
12 security for the purposes contained in this subsection.

13 D. If the department determines that activities proposed by the
14 Arizona international development authority for planning, development and
15 construction of transportation facilities on the border between Arizona and
16 Mexico may improve traffic safety in this state, the department may enter
17 into an agreement with, and provide, subject to legislative appropriation,
18 fund monies to, the Arizona international development authority for the
19 purposes contained in this subsection.

20 E. On notice from the department, the state treasurer shall invest and
21 divest monies in the fund as provided by section 35-313, and monies earned
22 from investment shall be credited to the fund.

23 F. Monies in the fund are exempt from the provisions of section 35-190
24 relating to lapsing of appropriations.

25 Sec. 3. Repeal

26 Laws 2003, chapter 231 is repealed.

27 Sec. 4. Requirements for enactment: two-thirds vote

28 Pursuant to article IX, section 22, Constitution of Arizona, this act
29 is effective only on the affirmative vote of at least two-thirds of the
30 members of each house of the legislature and is effective immediately on the
31 signature of the governor or, if the governor vetoes this act, on the
32 subsequent affirmative vote of at least three-fourths of the members of each
33 house of the legislature.